

CITY COUNCIL
CITY OF WICHITA
KANSAS

City Council Meeting
June 10, 2003, 9:00 A.M.

City Hall
455 North Main

ORDER OF BUSINESS

- Call to Order
 - Invocation - Father John Sherlock, St. Mary's Cathedral
 - Pledge of Allegiance
 - Approve the minutes of the previous meeting
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AWARDS AND PRESENTATIONS

- Clean Water Partner Award
 - Wichita's Promise - Youth Service Awards
 - Recognition of District Advisory Board Youth Members
 - Proclamations
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NEW BUSINESS

1. Public Hearing: Builders, Inc., Resolution of Support for Low-Income Housing Tax Credit Application.

Builders, Inc., has requested a Resolution of Support in connection with an application for Low-Income Housing Tax Credits to be submitted to the State of Kansas.

RECOMMENDED ACTION: Close the public hearing; adopt the Resolution.

2. Kansas Sports Hall of Fame Sublease Amendment.

The Sublease Agreement is necessary to secure the Public Building Commission bond issue for the Kansas Sports Hall of Fame.

RECOMMENDED ACTION: Approve the Sublease Agreement; authorize the necessary signatures.

3. Ordinance Pertaining to Consumption of Alcohol on Public Property – Old Town Cinema Plaza.

The Kansas Legislature and the Code of the City of Wichita forbid the consumption of alcohol on public property. However, K.S.A. 41-719 provides that any city may exempt from this prohibition, by ordinance, any specified property, the title of which is vested in the city.

RECOMMENDED ACTION: Declare an emergency and the Ordinance be placed on its passage and adopted on the date of introduction.

4. HOME CHDO Housing Development Funding. (Districts I, III, IV, V, VI)

Housing Services is requesting approval of new funding Agreements for Community Housing Services of Wichita/Sedgwick County, Inc., and Mennonite Housing Rehabilitation Services, Inc., and extension of the Contract for CHS' prior year funding, not to exceed a one-year period.

RECOMMENDED ACTION: Approve the Contracts; authorize the necessary signatures.

CITY COUNCIL AGENDA

5. Board Appointments.

RECOMMENDED ACTION: Make the appointments.

CONSENT AGENDA

6. Report of the Board of Bids and Contracts Dated June 9, 2003.

RECOMMENDED ACTION: Receive and file report; approve Contracts; authorize necessary signatures.

7. Applications for Licenses to Retail Cereal Malt Beverages:

<u>New Establishment</u>	<u>2003</u>	<u>(Consumption on Premises)</u>
Allen Moore	Two Fat Chefs Inc.*	615 East 47 th Street South
<u>New Establishment</u>	<u>2003</u>	<u>(Consumption off Premises)</u>
Bich Jennifer Nguyen	Asian Market Inc.	1815 East Central

(Item 7 continued)

<u>New Operator</u>	<u>2003</u>	<u>(Consumption off Premises)</u>
Kulwinder Singh Jaswal	Petro America LLC	802 North West Street

*General/Restaurant - 50% or more of gross receipts derived from sale of food.

RECOMMENDED ACTION: Approve licenses subject to Staff review and approval.

8. Preliminary Estimates:

- a) Water distribution system to serve Woodland Lakes Third Addition - north of Harry, west of 127th Street East. (448-89785/735128/470798) Does not affect existing traffic. (District II) - \$164,000.00
- b) Water distribution system to serve Reed's Cove Addition - south of 21st Street North, east of 127th Street East. (448-89820/735126/470796) Does not affect existing traffic. (District II) - \$38,000.00
- c) Water distribution system to serve Reed's Cove Addition - south of 21st Street North, east of 127th Street East. (448-89821/735127/470797) Does not affect existing traffic. (District II) - \$36,000.00
- d) Lark, from the south line of Pawnee Avenue to the south line of Atlanta; Atlanta from the east line of Lark Lane, east to and including cul-de-sac; Westgate, from the south line of Atlanta Court, south to the west line of the plat; Westgate Court (Lots 22 thru 39, Block A), from the east line of Westgate east to and including cul-de-sac; Yosemite from the west line of Maize Road, west to the west line of the plat; Yosemite Court from the north line of Yosemite, north to and including cul-de-sac; Lamp, from the north line of Yosemite north to and including cul-de-sac; Sidewalk on Lark, Atlanta, Westgate, Yosemite, and within Reserve "C" to serve Southern Ridge Addition - south of Pawnee, west of Maize. (472-83681/765778/490889) Traffic to be maintained during construction using flagpersons and barricades. (District VI) - \$786,000.00
- e) Wellington, from 27th to 29th Street North to serve Montrose Addition, Montrose Park Addition, and Bud Palmer Addition - south of 29th Street North, west of Broadway. (472-83481/765716/490827) Traffic to be maintained during construction using flagpersons and barricades. (District VI) - \$222,000.00
- f) Park Place, from 27th to 28th Street North to serve Montrose Park Addition - south of 29th Street North, west of Broadway. (472-83479/765720/490831) Traffic to be maintained during construction using flagpersons and barricades. (District VI) - \$124,900.00
- g) 28th Street North from the east line of Fairview to the west line of Wellington Place and from the east line of Wellington Place to the west line of Park Place to serve Montrose Park and McCoskey Additions - south of 29th Street North, west of Broadway. (472-83480/765719/490830) Traffic to be maintained during construction using flagpersons and barricades. (District VI) - \$89,600.00
- h) Lateral 142, Main 4, Sanitary Sewer #23 to serve Jones Park Addition - south of 37th Street North, west of Broadway. (468-83603/743983/480671) Traffic to be maintained during construction using flagpersons and barricades. (District VI) - \$23,000.00
- i) Kellogg (US 54) and Rock Road Interchange Part 2: Reinforced Concrete Box Bridges on Armour Tributary to Dry Creek and on Gypsum Creek - Kellogg & Rock Road. (468-83631/702324/401341) Traffic to be maintained during construction using flagpersons and barricades. (District II) - \$5,899,200.50

(Item 8 continued)

- j) Cherry Creek from the east line of 127th Street East to Sierra Hills; Horseback from the north line of Cherry Creek to the north line of Sierra hills Addition; Sierra Hills from Cherry Creek to the east line of Lot 17, Block 2, Sierra Hills/Sierra Hills Circle, from Cherry Creek to and including cul-de-sac; Sierra Hills Court from the west line of Sierra Hills to and including cul-de-sac (Lots 28-35, Block 5); Triple Crown from the east line of Sierra Hills to the north line of Lot 4, Block 4; Triple Crown Court from the south line of Triple Crown to and including cul-de-sac; Sidewalk on one side of all through, non cul-de-sac streets and the loop street of Sierra Hills, Triple Crown and Mt. Vernon. Horseback Street shall be paved with a temporary cul-de-sac at the north line of the addition to serve Sierra Hills Addition - east of 127th Street East, north of Pawnee. (472-83703/765791/490902) Does not affect existing traffic. (District II) - \$848,000.00
- k) Water line relocations in Central, from Maize to Tyler - along Central between Maize and Tyler. (448-89795/636122/773518) Traffic to be maintained during construction using flagpersons and barricades. (District V) - \$225,000.00

RECOMMENDED ACTION: Approve and file.

9. Petitions for Public Improvements:

- a) Water distribution system to serve Lot 1, Block 1, Lester Turley Addition – west of Meridian, south of 19th Street North. (District VI)

RECOMMENDED ACTION: Approve Petitions; adopt Resolutions.

10. Consideration of Street Closures/Uses.

RECOMMENDED ACTION: Approve street closures/uses.

11. Agreements/Contracts:

- a) Notice of Intent for storm water discharge. (District I)
- b) CDBG Youth Recreation and Enrichment Program.
- c) Supplemental - construction engineering and staking for the Waterfront Addition and Beech Lake Development – east of Webb, north of 13th. (District II)
- d) CDBG Communities in Schools.
- e) CDBG Catholic Charities, Inc. – Harbor House.
- f) Thunder Hockey Office Lease.

RECOMMENDED ACTION: Approve Agreements/Contracts; authorize necessary signatures.

12. Change Orders:

- a) Parking lot and improvements to Central Riverside Park. (District VI)
- b) Roundabout improvements to Central Riverside Park. (District VI)

RECOMMENDED ACTION: Approve the Change Orders; authorize the necessary signatures.

13. Federal Transportation Administration Grant Application Resolution.

RECOMMENDED ACTION: Adopt the Resolution.

14. Special Populations Grant – Evergreen Branch Library. (District VI)

RECOMMENDED ACTION: Accept the Grant and Contract; authorize the necessary signatures.

15. Payment of Condemnation Award – Central Rail Corridor Project. (Districts III and VI)

RECOMMENDED ACTION: Authorize payment.

16. Property Acquisition – Southwest Corner of Kellogg and Greenwich Road. (District II)

RECOMMENDED ACTION: Approve budgets and Contract; authorize necessary signatures.

17. Sale of Surplus Property – 505 South Pershing. (District III)

RECOMMENDED ACTION: Declare the property surplus and available for sale.

18. First Reading Ordinances:

- a) Sidewalk repairs.

An Ordinance making a special assessment to pay for the improvement of and providing a tax levy for the cost of construction of sidewalks in the City of Wichita, Kansas.

- b) Building condemnations.

An ordinance making a special assessment to pay for the removal of certain structures, being dangerous and unsafe buildings which have been declared a nuisance (building condemnation) under the provision of Sections 18.16.010 to 18.16.090 of the Code of the City of Wichita, Kansas

(Item 18 continued)

c) Lot cleanup.

An Ordinance making a special assessment to pay for the cost of abating certain public health nuisances (lot clean up) under the provision of Section 7.40.050 of the Code of the City of Wichita, Kansas. Be it ordained by the governing body of the City of Wichita, Kansas:

d) Amendment to Ordinance Levying Assessments.

An Ordinance amending Ordinance No. 45-646 of the City of Wichita, Kansas, levying assessments on lots, pieces, and parcels of land in the City of Wichita, Kansas, for the purpose of paying a portion of the cost of improving 37th Street North to serve Ridge Port North Addition (490-800/472-83114/765689).

RECOMMENDED ACTION: Approve first reading of Ordinances.

19. Second Reading Ordinances: (First read June 3, 2003)

a) 2003 Arterial street and waterline replacement. (Districts I, II, V, and VI)

1. An Ordinance declaring the intersection of First Street at Hydraulic (472-83750) to be a main trafficway within the City of Wichita, Kansas; declaring the necessity of and authorizing certain improvements to said main trafficway; and setting forth the nature of said improvements, the estimated costs thereof, and the manner of payment of the same.
2. An Ordinance declaring 29th Street North, from one-half mile west of Maize Road to Maize Road (472-83752) to be a main trafficway within the City of Wichita, Kansas; declaring the necessity of and authorizing certain improvements to said main trafficway; and setting forth the nature of said improvements, the estimated costs thereof, and the manner of payment of the same.
3. An Ordinance declaring the intersection of Tyler at Yosemite (472-83757) to be a main trafficway within the City of Wichita, Kansas; declaring the necessity of and authorizing certain improvements to said main trafficway; and setting forth the nature of said improvements, the estimated costs thereof, and the manner of payment of the same
4. An Ordinance declaring Woodlawn, from Central Avenue to 13th Street (472-83758) to be a main trafficway within the City of Wichita, Kansas; declaring the necessity of and authorizing certain improvements to said main trafficway; and setting forth the nature of said improvements, the estimated costs thereof, and the manner of payment of the same, read for the second time. Mayans moved that the Ordinance be placed upon its passage and adopted. Motion carried 7 to 0. Yeas: Brewer, Fearey, Gray, Lambke, Martz, Schlapp, Mayans.

b) ZON2002-12 – south side of Kellogg, east of Hillside. (District III)

An Ordinance changing the zoning classifications or districts of certain lands located in the City of Wichita, Kansas, under the authority granted by the Wichita-Sedgwick county unified zoning code, section v-c, as adopted by section 28.04.010, as amended. ZON2002-12

c) ZON2003-00021 - southwest of the Market/Murdock Intersection. (District VI)

An Ordinance changing the zoning classifications or districts of certain lands located in the City of Wichita, Kansas, under the authority granted by the Wichita-Sedgwick county unified zoning code, section v-c, as adopted by section 28.04.010, as amended. ZON2003-00021

- d) A03-13 – east of North Maize Road; and segments on 29th and 37th Streets North. (District V)

An Ordinance including and incorporating certain blocks, parcels, pieces, and tracts of land within the limits and boundaries of the City of Wichita, Kansas, and relating thereto. A03-13

RECOMMENDED ACTION: Adopt Ordinances.

PLANNING AGENDA

NOTICE: Public hearing on planning items is conducted by the MAPC under provisions of State law. Adopted policy is that additional hearing on zoning applications will not be conducted by the City Council unless a statement alleging (1) unfair hearing before the MAPC, or (2) alleging new facts or evidence has been filed with the City Clerk by 5p.m. on the Wednesday preceding this meeting. The Council will determine from the written statement whether to return the matter to the MAPC for rehearing.

* Consent Items

- *20. SUB2003-07 – Plat of Fox Ridge Addition – North Side of 29th Street North. (District V)

RECOMMENDED ACTION: Approve documents and plat; authorize necessary signatures; adopt the Resolutions; approve first reading of ZON2003-15 Ordinance.

AIRPORT AGENDA

NOTICE: The City Council is meeting as the governing body of the Airport for consideration and action on items on this Agenda, pursuant to State law and City ordinance. The meeting of the Authority is deemed called to order at the start of this Agenda and adjourned at the conclusion.

21. Cooling Tower Replacement.

RECOMMENDED ACTION: Approve the budget increase; adopt the Resolution.

22. Terminal Building Improvements.

RECOMMENDED ACTION: Approve the Projects; adopt the Resolution.

Adjournment
